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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
Western Division**

JAN26'04 PM 4:18 US13

In Re:

NEWCARE HEALTH CORPORATION,
et al.,

Debtors.

GARY M. WEINER, Chapter 7 Trustee
for the estate of NEWCARE HEALTH
CORPORATION, et al.,
Plaintiff

vs.

CHRISTOPHER F. BROGDON, et al.
Defendants

CASE NUMBER: 99-44161-HJB, et al.
Jointly Administered
CHAPTER 7

FILED
CLERK'S OFFICE
2004 Jan -6 A 10:08
U.S. DISTRICT COURT
DISTRICT OF MASS.

ADVERSARY PROCEEDING
NO: 01-4188-HJB

04 - 30025 - MAP

NOTICE OF APPEAL

Defendants James J. Andrews, Christopher F. Brogdon, Connie B. Brogdon, Tygh Brogdon, Brentwood Health Care, LLC, Chamber Health Care Society, Inc., Chamber Pasco, LLC, Fitzgerald Health Care, Inc., Gordon Jensen Health Care Association, Inc., Kingsport Senior Housing, LLC, Robert G. Lancaster, Estate of Edward E. Lane, Harlan Mathews, National Assistance Bureau, Inc., Philip M. Rees, Retirement Group, LLC, Rockdale Retirement, Inc., James H. Sanregret, Sea Breeze Health Care Center, Inc., Senior Care, Inc., Southeastern Cottages, Inc., Darrell C. Tucker, Wellington Healthcare Management, LLC and Winter Haven Homes, Inc. (collectively, the "Defendants") appeal under 28 U.S.C. § 158(a)(3) from the order of the bankruptcy court, Boroff, J., denying Defendants' Motion to Compel Production of Documents entered in this adversary proceeding on the 16th day of January, 2004.

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The names of all parties to the order appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

APPELLANTS:

James J. Andrews
Christopher F. Brogdon
Connie B. Brogdon
Tygh Brogdon
Brentwood Health Care, LLC
Chamber Health Care Society, Inc.
Chamber Pasco, LLC
Fitzgerald Health Care, Inc.
Gordon Jensen Health Care Association, Inc.
Kingsport Senior Housing, LLC
Robert G. Lancaster
Estate of Edward E. Lane
Harlan Mathews
National Assistance Bureau, Inc.
Philip M. Rees
Retirement Group, LLC
Rockdale Retirement, Inc.
James H. Sanregret
Sea Breeze Health Care Center, Inc.
Senior Care, Inc.
Southeastern Cottages, Inc.
Darrell C. Tucker
Wellington Healthcare Management, LLC
Winter Haven Homes, Inc.

ATTORNEYS FOR APPELLANTS:

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APPELLEE:

Gary M. Weiner, Esq., Chapter 7 Trustee for the Estate of NewCare Health Corporation, et al.

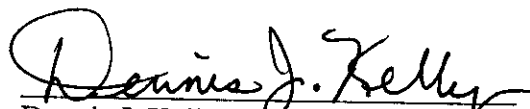
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JAN26'04 PM 4:18 US3

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Respectfully submitted,

CHRISTOPHER BROGDON, et. al.,
By their attorneys,



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Dated: January 26, 2004

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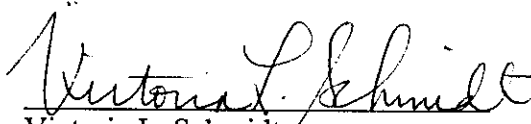
CERTIFICATE OF SERVICE

I, Victoria L. Schmidt, Esq., attorney for the Defendants, do hereby certify that I have this 26th day of January, 2004, served a copy of the foregoing Notice of Appeal, via first class mail, postage prepaid, upon the following:

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